

DAVID OPPENHEIMER, )  
)  
Plaintiff, )  
)  
vs. ) ORDER  
)  
)  
DANNY FIELDS PUGH, PAUL S. )  
HEATHMAN, and MOUNTAIN )  
DREAMS REALTY OF WNC, INC. )  
)  
Defendants. )  
\_\_\_\_\_ )

The Plaintiff initiated this action against the Defendants Danny Fields Pugh, Paul S. Heathman, and Mountain Dreams Realty of WNC, Inc. on November 6, 2021. [Doc. 1]. On November 29, 2021, the Plaintiff filed Waivers of Service executed by Paul S. Heathman and Mountain Dreams Realty of WNC, Inc. [Docs. 9, 10]. To date, however, these Defendants have not made an appearance or otherwise defended this action, and the Plaintiff appears to have made no effort to prosecute the action further against them. As to the Defendant Danny Fields Pugh, there is nothing in the record to indicate that the Plaintiff has effected service on this Defendant.

The Court will allow the Plaintiff fourteen (14) days to file an appropriate motion or otherwise take further action with respect to the Defendants Paul S. Heathman, and Mountain Dreams Realty of WNC, Inc. The Plaintiff is advised that failure to take further action against these Defendants will result in the dismissal of his claims against them.

The Plaintiff is further placed on notice that unless good cause is shown to the Court for the failure to effect service of the Summons and Complaint on the Defendant Danny Fields Pugh within fourteen (14) days from service of this Order, the Plaintiff's action against this Defendant shall be dismissed without prejudice without further order.


**IT IS, THEREFORE, ORDERED** that, within fourteen (14) days of the entry of this Order, the Plaintiff shall file an appropriate motion or otherwise take further action with respect to the Defendants Paul S. Heathman, and Mountain Dreams Realty of WNC, Inc. **The Plaintiff is advised that failure to take further action against these Defendants will result in the dismissal of his claims against them.**

**IT IS FURTHER ORDERED** that, within fourteen (14) days of the entry of this Order, the Plaintiff shall show good cause for the failure to effect service on the Defendant Danny Fields Pugh. Failure of the Plaintiff to

respond in writing within fourteen (14) days shall result in a dismissal without prejudice of this Defendant without further order of the Court.

**IT IS SO ORDERED.**

Signed: February 8, 2022

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger  
Chief United States District Judge

